

AO 91 (Rev. 11/11) Criminal Complaint

United States District Court
Southern District of Texas
FILED

UNITED STATES DISTRICT COURT FEB 16 2022

for the

Southern District of Texas

Nathan Ochsner, Clerk

United States of America
v.

Diamond Joe GONZALEZ (U.S.C. / Y.O.B. 2000)

Case No.

M-22-0342-M

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of February 4, 2022 in the county of Hidalgo in the
Southern District of Texas, the defendant(s) violated:

Code Section

Title 18 U.S.C. Section 922(a)(6)

Offense Description

It shall be unlawful for any person in connection with the acquisition or attempted acquisition of any firearm or ammunition from a licensed importer, licensed manufacturer, licensed dealer, or licensed collector, knowingly to make any false or fictitious oral or written statement or to furnish or exhibit any false, fictitious, or misrepresented identification, intended or likely to deceive such importer, manufacturer, dealer or collector with respect to any fact material to the lawfulness of the sale or other disposition of such firearm or ammunition under the provisions of this chapter.

This criminal complaint is based on these facts:

Submitted by reliable electronic means, sworn to and attested to telephonically per Fed.R.Cr.P.4.1. and probable cause:

☒ Continued on the attached sheet.

Reviewed and approved by AUSA Sarina DiPiazza

/s/ Alexander Estrada

Complainant's signature

Alexander Estrada, Special Agent, ATF

Printed name and title

Date: February 16, 2022 8:24 PMCity and state: McAllen, TX

Judge's signature

Nadia S. Medrano, U.S. Magistrate Judge

Printed name and title

ATTACHMENT A

This affidavit is in support of a criminal complaint charging Diamond Joe GONZALEZ ("GONZALEZ") with criminal violations. The evidence available to me demonstrates that there is probable cause that GONZALEZ violated Title 18 U.S.C. Section 922(a)(6).

Further, the Affiant states as follows:

Previously, on or about February 4, 2022, your affiant received information regarding the attempted purchase of an AK47-type rifle by GONZALEZ from a Federal Firearms Licensee (FFL) dealer located in Mission, Texas. During a canvass of FFL dealers, your Affiant later discovered that GONZALEZ had also purchased two (2) pistols on February 4, 2022.

On February 16, 2022, ATF Agents made contact with GONZALEZ at his residence in Pharr (TX) and subsequently interviewed GONZALEZ.

During the non-custodial interview of GONZALEZ, GONZALEZ admitted that he had attempted the purchase of a AK47-type rifle on February 4, 2022, and in return, expected to be paid \$300.00 for doing so. GONZALEZ stated after he was delayed the sale of the Century Arms, VSKA, 7.62 caliber rifle, at the FFL dealer in Mission (TX), he and his co-conspirators traveled to an FFL dealer in Pharr (TX) on the same day. There, GONZALEZ admitted that he was paid about \$280.00 to straw purchase a Romarm/Century Arms Intl., Micro Draco, 7.62 caliber pistol from the FFL dealer in Pharr (TX). GONZALEZ stated after, he and his co-conspirators traveled to another FFL dealer also in Pharr (TX), which is where GONZALEZ stated he purchased a Glock/Glock Inc. G22, .40 caliber pistol on behalf of the same co-conspirator and was paid \$150.00 for doing so.

Specifically, GONZALEZ admitted to lying on question 21(a) of the ATF Form 4473 when he checked the box as the actual buyer of the firearm(s) when he knew the purchase of the above listed firearms, to include the attempted purchase, was actually for the co-conspirator, your Affiant had previously identified as Cristopher TIJERINA.

As a result, Diamond Joe GONZALEZ committed an offense against the United States by straw purchasing both firearms, causing, in connection with the acquisition of firearms from licensed dealers, knowingly made false written statements and representations intended or likely to deceive such licensed dealers with respect to facts material to the lawfulness of the sale of such firearm in violation of Title 18 U.S.C. Sections 922(a)(6).

The above-mentioned violation occurred in Southern District of Texas.